

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed September 9, 2005. At the time of the Final Office Action, Claims 1-20 were pending in this Application. Claims 1, 5, 6, 10 and 11 were rejected. Claims 2-4 and 7-9 were objected to, and Claims 12-20 were allowed. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1 and 10-11 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,680,394 issued to John A. C. Bingham et al. ("Bingham et al."). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1997). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

According to independent method claim 1, the following step is provided: "transmitting synchronization signals from a transmission unit to an associated reception unit." Bingham neither discloses nor suggests this step. On the contrary, Bingham discloses a completely different concept. According to Bingham, a synchronization of the transmitted data frames is performed by supplying each transmission unit with the same clock signals. In particular, three separate clock signals, a sample clock, a symbol clock, and a super frame clock, are used and distributed to all transmission units. See Fig. 6, and col. 7, lines 25-47. Thus, it is ensured that all transmission units will transmit at the same time and are, therefore, synchronized. Hence, no synchronization signals are required in such a system. Applicants, therefore, believe that Bingham does not anticipate the present independent claim 1.

Applicants respectfully submit that the dependent Claims 10-11 are allowable at least to the extent of the independent Claim 1 to which they refer. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims 10-11. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §102, if necessary, and do not concede that the Examiner's proposed combinations are proper.

Rejections under 35 U.S.C. §103

Claims 5-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bingham et al. Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Applicants respectfully submit that the dependent Claims 5-6 are allowable at least to the extent of the independent Claim 1 to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims 5-6. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

Change of Correspondence Address

Applicants respectfully request that all papers pertaining to the above-captioned patent application be directed to Customer No. **31625** and all telephone calls should be directed to Andreas Grubert at 512.322.2545.

Allowable Subject Matter

Claims 12-20 are allowed.

Applicants appreciate Examiner's consideration and indication that Claims 2-4, and 7-9 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. However, as stated above, Applicants believe that all pending claims are allowable in view of the cited prior art.

CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,
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Attorney for Applicants



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Limited Recognition No. L0225
Limited Recognition Under 37 C.F.R. §11.9(b)

Date: November 9, 2005

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